

March 23, 2004

Ms. Sara M. Eaton
The Journal Gazette
600 West Main Street
P.O. Box 88
Fort Wayne, Indiana 46801

*Re: 04-FC-27; Alleged violation of the Access to Public Records Act by the
Clerk of the Allen Circuit and Superior Courts*

Dear Ms. Eaton:

This is in response to your formal complaint alleging that the Clerk of the Allen Circuit and Superior Courts (Clerk) violated the Indiana Access to Public Records Act (APRA) (Ind. Code §5-14-3) when it denied your request for access to a list of juror names for the jurors who served in the matter captioned *State v. Edward Corcoran*, No. 02D04-9707-CF-000465. The Clerk and the administrative judge for the court have separately responded to your complaint, and copies of those responses are attached for your reference. For the reasons set forth below, it is my opinion that the Clerk did not violate the APRA when it denied you access to the records.

BACKGROUND

On February 12, 2004, you submitted a written request for records to the Clerk of the Allen Circuit and Superior Courts. That request sought access to a list of juror names for the jurors who served in the matter captioned *State v. Edward Corcoran*, No. 02D04-9707-CF-000465. The face of the written request indicates that it was hand-delivered to the Clerk. The Clerk responded in writing by letter dated February 16, 2003, and postmarked February 17, 2004, both dates more than 24 hours after receiving the request.¹ The Clerk's response stated that she communicated the request to the Superior Court responsible for handling the jury process, and that she would retrieve the requested documents as soon as they became available to her.²